

326

File S. F. 15781

ABST. No. 1742

Harris

County

SCHOOL LAND

Adam Klein
(GOOD FAITH CLAIMANT)
Spring, Texas

25.6

25.2

Acres

Section No.

Block

Tsp.

Cert.

Act of June 19, 1939

Report and Sketch

in SF-15777

REG. MK'D. PTD.

~~CORRECT ON MAP FOR 25.2 ACRES~~
~~8/2/55 VES~~

CORRECT ON MAP FOR 25.6 ACRES

AUG 8-17-55

Approved as M&B and valued
by the Commissioner and the
School Land Board at \$33.33
per acre. 9-1-55
OK D.W.

Pat. to Orig. with M/R. 9/28/55
Obligation

Vol.

142

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B-138-1050-4m

PATD. ABST. SUP. F

Presented SEP 18 1955

No. 281326 Vol. 25-B

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Mailed Co. Clk.

SEP 29 1955

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No. —

9-21-55

Pat Fee 10⁰⁰ Reg 2844-3251Rec Fee 10⁰⁰ Reg 2845

Howard N. Klein

Tomball - Texas

PAID IN FULL FOR 25.60 ACRES
DATE 9-26-55

15781

APPLICATION TO PURCHASE

(Good Faith Claimant)

In Re: and in lieu of:
General Land Office
File No. SF15765

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

1. I hereby apply to purchase under a preference right without condition of settlement the tract of unsurveyed school land hereinafter described, under the provisions of an Act approved June 19, 1939, and other laws relating to the sale of unsurveyed school land.

2. The said tract of land is situated in Harris County, Texas, about 25 miles North 26° West from Houston, the county seat, and is described as follows, to-wit:

25.99 acres of land originally conveyed as a part of the John Brock Survey, A-122, but now alleged to be unsurveyed land, more particularly described in field notes attached hereto and incorporated by reference, said field notes marked Exhibit "A".

3. I am a good faith claimant under the terms of said Act, as is fully shown by the attached instruments marked Exhibit "A", "B", "C", "D", "E", and "F".

4. Remarks:* On April 12, 1955, Alvin A. Klein, Adam Klein, Hugo Ehmann, A. H. Roth, Theodore Benfer, F. H. Benfer, Carl Schindewolf and Fritz Benfer, filed their joint applications as good faith claimants to 223.4 acres of land in Harris County, Texas, said application being assigned File No. SF15765. Survey of said land revealed that Carl Schindewolf and Fritz Benfer owned no part of said acreage. Now in lieu of File No. SF15765, each of the remaining parties files application for his particular good faith claimed portion of said acreage, together with the following attached instruments in support of said claim, to-wit:

- Exhibit "A"---Field notes of survey by J. S. Boyles, C. E.
- Exhibit "B"---Written report of surveyor covering subject tract and tracts of other good faith claimants.
- Exhibit "C"---Plat of survey covering subject tract and tracts of other good faith claimants.
- Exhibit "D"---Affidavit proving good faith claim.
- Exhibit "E"---Certified photostatic copy of Deed or Deeds of Applicant showing conveyance of subject tract to Applicant.
- Exhibit "F"---Questionnaire.

Adam Klein
Adam Klein Good Faith Claimant

Post Office R. F. D. Spring, Texas

IMPORTANT NOTICE!

- *NOTE: (1) The Good Faith Claimant should clearly indicate his position as to the existence of a vacancy.
- (2) If there should be no prior filing by an applicant, the good faith claimant should state whether application is accompanied by field notes or whether same will be filed within 120 days from date of filing of application with Commissioner of General Land Office.
- (3) Any other statement pertinent to the application to purchase may be included.

(OVER)

CERTIFICATE

I, A. J. Mullins, Secretary of the School Land Board, do hereby certify that at a regular meeting of said board held in the General Land Office, Austin, Texas, on the 7 day of September, A. D. 1955, the price at which the area of land described in the above application No. 5215781, shall be sold, was fixed by the School Land Board at \$33.33 Dollars per acre, all of which is shown in Vol. 12, Page , of the Minutes of said Board.

Given under my hand this the 7 day of September, A. D. 1955, at Austin, Texas.

A. J. Mullins

Secretary of the School Land Board

S4083

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15781

**APPLICATION TO PURCHASE
UNSURVEYED SCHOOL LAND
(Good Faith Claimant)**

of Adam Klein
Spring, Texas.
WITHOUT SETTLEMENT
in Harris County, Texas.
acres

Filed July 18, 1955
J. Earl Rudder
Commissioner

Approved Sept. 7, 1955
Rejected
J. Earl Rudder
Commissioner

RECEIVED AS STATED
\$1.00

J. Earl Rudder
DATE July 18, 1955
Reg. No. 15782

GENERAL LAND OFFICE

\$

APPLICATION TO PURCHASE

EXHIBIT "D"

ADAM KLEIN 25.9 ACRES

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned authority, on this day personally appeared ADAM KLEIN, who, having been by me first duly sworn upon his oath did depose and say:

My name is ADAM KLEIN; I am 64 years of age and my mailing address is R. F. D. Spring, Texas. My wife's name is AMANDA KLEIN, and she and I were married at the time I acquired the hereinafter discussed property. She and I are at present still married. I am the good faith claimant and possessor of a 25.9 acre tract of land purchased by me as being a part of the John Brock Survey, Abstract No. 122, in Harris County, Texas, but now alleged to be vacant unsurveyed land, lying immediately south of the John Brock Survey in Harris County, Texas. The said 25.9 acre tract of land is more particularly described by metes and bounds in Exhibit attached hereto marked Exhibit "1", said Exhibit being herewith incorporated by reference.

This land is a portion of my homestead, upon which I reside, upon which I have been residing all my lifetime. This land is used by me for dairying purposes, farming purposes, and livestock grazing purposes. It is not now under an oil and gas lease, and there is no exploring for, drilling for, or removing of oil, gas or other minerals, taking place upon said land. This particular 25.9 acre tract of land is a portion of a 107.2 acre tract purchased by me from my Father, John Klein, by Deed dated June 27, 1930, and recorded in Volume 841, Page 494, of the Deed Records of Harris County, Texas. This is a portion of the land originally purchased by my grandfather, Adam Klein, he having purchased same from B. A. Shepherd, on May 23, 1877, by Deed recorded in Volume 17, Page 328 of the Deed Records of Harris County, Texas. It is also a portion of a 95.37 acre tract of land purchased by my father, John Klein, from B. A. Shepherd, by Deed dated August 13, 1888, and recorded in Volume 41, Page 592 of the Deed Records of Harris County, Texas. By Deed dated May 29, 1886, my grandfather,

Adam Klein, and his wife, conveyed their portion of said land to my father, John Klein, by Deed recorded in Volume 41, Page 604 of the Deed Records of Harris County, Texas. As stated above my father, John Klein, conveyed this property to me by Deed dated June 27, 1930. Both my grandfather, Adam Klein, and my father, John Klein, lived upon this tract of land cultivating same and making their living thereon as farmers. It was always thought by us and by them to be a portion of the John Brock Survey and it was bought by them as a portion of the John Brock Survey.

My grandfather, Adam Klein, and my father, John Klein, were both farmers, and they made their living on this tract of land and other tracts of land adjoining this one by annually cultivating a portion of it, and by grazing livestock on the balance of it. I was born and raised on this tract of land and have lived on it all of my life and am at present living upon this tract of land. This particular 25.9 acre tract of land has been enclosed in fences with other portions of land which I own, for well over fifty years. Many portions of our land were fenced into cultivated fields ever since my grandfather owned this tract of land. The balance of it has been fenced ever since Stock Law came into Harris County, which is well over twenty-five years ago. The boundaries of this tract of land were well known in our community and to my knowledge there has never been any dispute with any of our neighbors over the boundary lines or the ownership of this particular tract of land.

This particular tract of land has been in my family's possession for over sixty-five years. It has been in my personal possession for over twenty-five years. I have always believed the land to be mine, claiming it under the Deed from my father, he having received same in 1888. I have paid taxes on said land as being a part of the John Brock Survey and my family has paid taxes on same, ever since Harris County was organized, as a part of the John Brock Survey. Until the recent discovery that this land possibly does not lie within the John Brock Survey, I and all my neighbors had always thought that this land was a part of the John Brock Survey and I have possessed and used and

am at present possessing and using this land as a part of the John Brock Survey.

I own land that adjoins this tract of land some of it being in the John Brock Survey, and portions of it being in the G. C. and S. F. R. R. Survey, the Mary A. Klenk Survey, and the James Moore Survey, This land is owned and claimed by me under Deeds from my father and grandfather, they having acquired same over sixty-five years ago.

The nearest production of oil, gas or other minerals, is approximately $1\frac{1}{2}$ miles northwest from this particular 25.9 acre tract of land. There is also some production approximately 2 miles southwest of this tract of land.

WITNESS my hand this 14th day of July, 1955.

Adam Klein
ADAM KLEIN

SUBSCRIBED AND SWORN to before me this 14th day of July, 1955.

Howard H. Klein
Notary Public in and for Harris
County, T E X A S.

HOWARD H. KLEIN
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957

Form 842

SINGLE ACKNOWLEDGMENT

STATE OF TEXAS,
COUNTY OF HARRIS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

ADAM KLEIN

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of July, A. D. 1955.

(L. S.)

WILSON STATY & PDS. CO., HOUSTON

Howard H. Klein
Notary Public in and for Harris County, Texas.
HOWARD H. KLEIN
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957,

EXHIBIT "1"

ADAM KLEIN 25.9 ACRE TRACT

FIELD NOTES of a survey of 25.9 acres of land made for Adam Klein by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 12th day of April, 1955, (application to be filed with the Commissioner of the General Land Office, Austin, Texas) under the laws regulating the sale and lease of unsurveyed school land, Said land is situated in Harris County, about 25 miles North 26° West from Houston, the County Seat, and is described by metes and bounds as follows, to-wit:

Beginning at the Southwest corner of A. A. Klein's 52.96 acres on the North line of the James Moore Survey and 967.97 varas from its Northeast corner;

THENCE with the North line of the James Moore Survey South 89° 19' 40" West 185.03 varas to a 4x4" concrete monument, the Southwest corner of this survey, the most Northern Northwest corner of the James Moore Survey and the upper Southeast corner of the Mary A. Klink Survey;

THENCE North 00° 18' 10" West with the East lines of the Mary A. Klink Survey and G.C.&S.F. R.R. Company Survey No. 1, Certificate 5197 and the long-recognized West line of the John Brock Survey, at 152.9 varas pass an iron pipe, the Northeast corner of the said Mary A. Klink Survey and the Southeast corner of the G.C.&S.F. R.R. Company Survey No. 1; at 787.0 varas enter a lake and at 821.45 varas a 3/4" galvanized iron pipe set in said lake in water about 2 1/2 ft. deep, this being the Northwestern corner of this survey and the Southwest corner of the John Brock Survey by its patented call distance;

THENCE with the South line of the John Brock Survey so located, North 89° 19' 40" East 170.96 varas to the Northwest corner of A. A. Klein's 52.96 acres;

THENCE with A. A. Klein's West line South 01° 17' East 821.43 varas to the PLACE OF BEGINNING.

ADAM KLEIN 25.9 ACRE TRACT

FIELD NOTES of a survey of 25.9 acres of land made for Adam Klein by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 12th day of April, 1955, (application to be filed with the Commissioner of the General Land Office, Austin, Texas) under the laws regulating the sale and lease of unsurveyed school land. Said land is situated in Harris County, about 25 miles North 26° West from Houston, the County Seat, and is described by notes and bounds as follows, to-wit:

Beginning at the Southwest corner of A. A. Klein's 25.96 acres on the North line of the James Moore Survey and 967.97 varies from its Northeast corner;

THENCE with the North line of the James Moore Survey South 89° 19' 40" West 185.03 varies to a 4x4" concrete monument, the Southwest corner of this survey, the most Northern Northwest corner of the James Moore Survey and the upper Southeast corner of the Mary A. Kink Survey;

THENCE North 00° 18' 10" West with the East line of the Mary A. Kink Survey and G.C. & F. R.R. Company Survey No. 1, Certificate 2197 and the long-recognized West line of the John Brook Survey, at 12.9 varies to a iron pipe, the Northeast corner of the said Mary A. Kink Survey and the Southeast corner of the G.C. & F. R.R. Company Survey; at 787.0 varies enter a lake and at 821.43 varies thence from pipe set in said lake in water about 26 ft. being the Northwest corner of this survey and the corner of the John Brook Survey by its patented call dis-

with the South line of the John Brook Survey so located, North 40° East 170.96 varies to the Northwest corner of A. A. Klein's 25.96 acres;

THENCE with A. A. Klein's West line South 01° 17' East 821.43 varies to the PLACE OF BEGINNING.

File No. A-215781
County Harris
Applicant Adam Klein
Filed July 18 1955
Pat Thompson
File Clerk

25 No. 467058

26 John Klein. et ux.

27 To

Adam Klein et ux.

28 General Warranty Deed.

29 State of Texas. County of Harris.

Know all men by these presents:

30 That we, John Klein and Ida Klein, husband and wife of Harris County, Texas, for and in considera-
31 tion of the sum of Five Thousand (\$5000.00) Dollars to us paid and to be paid by Adam Klein and
32 Amanda Klein, as hereinafter provided; Have granted, bargained, sold and conveyed and by these
33 presents do grant, bargain, sell and convey unto the said Adam Klein and Amanda Klein, husband and
34 wife, of Harris County, Texas, the following described land and premises, to-wit:

35 One Hundred Seven and 2/10 (107.2) acres out of the John Brock Survey and the G.C. & S.F. Railroad
36 Company Survey in Harris County, Texas, and also out of the Mary Klenk Survey and the James Moore
37 Survey, more particularly described as follows: Beginning at an axle the Southeast

38 corner of the T. Martin Survey and a re-entrant corner of the said G.C. & S.F. Railroad Survey;

39 Thence North No degrees 34 minutes East 500 feet to a stake in the west line of the G.C. & S.F.

40 R.R. Survey and the East line of the T. Martin Survey at a fence corner;

41 Thence South 89 degrees 14 minutes East 525.3 feet to the northwest corner of a 20 foot easement;

42 Thence South No degrees 29 minutes West 20 feet to the South west corner of said easement;

43 Thence South 89 degrees 14 minutes East 588 feet along south side of said easement to the corner
44 of the same where it turns south; Thence along the west side of a 20 foot easement South No

45 degrees 29 minutes west 4166.4 feet to the center of the Cypress-Spring County Road;

46 Thence South 87 degrees 24 minutes West 937 feet to the Southeast corner of a tract sold by John
47 Klein to his son Adam Klein; Thence North 11 degrees 36 minutes West 897.2 feet to a point

48 for corner; Thence North no degrees 40 minutes East 2866.2 feet to the place of beginning,

together with all improvements thereon. Of the above consideration the sum of Two Hundred

(\\$200.00) Dollars has been paid in cash, the receipt of which is hereby acknowledged and confessed; for the balance of said consideration the said Adam Klein and Amanda Klein have executed their certain sixteen certain promissory notes each for the sum of Three Hundred (\\$300.00) Dollars, signed by them, payable to John Klein, or order, said notes being numbered from one to sixteen and being payable one each year, in their numerical order, said note bear 4% interest from date until paid, interest payable annually as it accrues.

Said notes provide for the usual 10% attorneys fees, for the payment of taxes the keeping up of insurance, and further provide that a failure to pay any of the taxes on the above described land and premises when due, or failure to insure and keep insured the improvements thereon, in the sum of \$_____ or as much thereof as can be obtained, with loss, if any, payable to the owner and holder of said notes as his interest shall appear, or failure to pay any one of said notes, or any installment of interest thereon when due, shall, in either of said events at the option of the owner and holder of said notes, or any of them, immediately mature the entire unpaid portion of said indebtedness.

The payment of said notes is additionally secured by a Deed of Trust to V.G. Smylie, Trustee, of even date herewith.

To have and to hold the above described land and premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Adam Klein and Amanda Klein, their heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend, all and singular, the said land and premises unto the said Adam Klein and Amanda Klein, their heirs and assigns against any and every person whomsoever lawfully claiming, or to claim the same or any part thereof, except as to taxes for the year 1927, which the grantees assume and agree to pay.

It is hereby agreed and expressly understood that the Vendor's Lien and superior title in and to the above described land and premises, are herein retained until all of the above described notes, together with all interest and charges thereon shall have been fully paid, at which time this deed shall become absolute, but, not otherwise.

Executed this the 27th. day of June, 1930. John Klein. Ida Klein.

State of Texas. County of Harris.

Before me, the undersigned authority, on this day personally appeared John Klein and Ida Klein, known to me to be the persons whose names are subscribed to the foregoing instrument of writing, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

And the said Ida Klein, wife of the said John Klein, having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said Ida Klein, wife of the said John Klein, acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this the 27th. day of June, 1930. Mrs C.S. Sibley, Notary Public in and for Harris County, Texas. (Seal)

Filed for record June 28, 1930 at 10.30 o'clock A.M. Recorded June 30, 1930 at 2.30 o'clock P.M.

Albert H. Thompson Clerk County Court Harris County Texas. By *D. C. [Signature]* Deputy.

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

THE STATE OF TEXAS.

COUNTY OF HARRIS: I, W. D. Miller, Clerk County Court, in and for
said County and State, do hereby certify that

the above and foregoing is a true and correct Photostat Copy of

Deed Dated June 27-1930
from John Fleming et ux
to Adam Fleming et ux
as the same appears on record in my office in Records of Deeds
Volume 841 Page 494

Given under my hand and seal of said Court, at
office, at Houston, Texas, this 11 day of July 1931

W. D. MILLER, Clerk

County Court, Harris County, Texas.

By Stella M. Coale Deputy.

File No. 87.15781
County Shavie
Filed 1955
J. EARL CODDER, Com'r.
File Clerk Pat Thompson

EXHIBIT "F"
ADAM KLEIN 25.9 ACRES

The following information is required with all applications to purchase:

1. Type of land
 - (a) Kind of soil Sandy loam
 - (b) Topography of surface Flat
 - (c) Purpose for which adapted (cultivated or grazing) 1/2 cultivation,
1/2 grazing
2. Type and value of timber, if any None
3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.) \$20.00 per acre
4. The assessed value in this county is 40 % of market value.
5. The actual value without improvements is \$50.00 per acre.
6. The nearest production of oil, gas or minerals is 1 1/4th mi. (distance),
northwest (direction).
7. The nearest drilling oil or gas well is 3 mi. (distance) NE (direction).
3 mi. SW
8. The nearest dry hole is 1 mi. (distance) W. (direction).
1 mi. N.
9. If the land is under oil and gas lease, fill in the following:
 - (a) To whom leased None
 - (b) Date of lease None
 - (c) Bonus received (per acre) None
 - (d) Total amount of rental received None
10. If there is production on this tract, fill in the following:
 - (a) Number of producing wells None
 - (b) Name of the field in which the tract is located None
 - (c) Royalty payments received None
11. Do you contemplate a sale of this land in the near future? No
(Yes or No)
If so, what is the sale price per acre? _____

The above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 14th day of July, 19 55.

Adam Klein
Adam Klein

Sworn to and subscribed before me, this the 14th day of July, 19 55.

Howard H. Klein
Notary Public in and for Harris
County
HOWARD H. KLEIN
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957

ADAM KLEIN 25.9 ACRES

The following information is required with all applications to purchase:

1. Type of land
(a) Kind of soil Sandy loam
(b) Topography of surface Flat
(c) Purpose for which adapted (cultivated or grazing) 1/2 cultivation, 1/2 grazing
2. Type and value of timber, if any None
3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.) \$20.00 per acre
4. The assessed value in this county is 40 % of market value.
5. The actual value without improvements is \$20.00 per acre.
6. The nearest production of oil, gas or minerals is 1 1/4 mi. (distance), northwest (direction).
7. The nearest drilling oil or gas well is 3 mi. (distance), NE (direction).
8. The nearest dry hole is 1 mi. (distance), W. (direction).
9. If the land is under oil and gas lease, fill in the following:

- (a) To whom leased None
- (b) Date of lease None
- (c) Bonus received (per acre) None
- (d) Amount of rental received None
10. The nearest production on this tract, fill in the following:
(a) Name of producing wells None
(b) Name of the field in which the tract is located None
(c) Payments received None
11. Do you contemplate a sale of this land in the near future? No
(Yes or No)
If so, what is the sale price per acre?

File No. 1-2-15781
Shawnee County
Questionnaire
Filed July 18 1955
Earl Kuddern, Com'r.
Pat Thompson
File Clerk

(4)

The above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 14th day of July, 19 55.

Adam Klein

Sworn to and subscribed before me, this the 14th day of July, 19 55.

Notary Public in and for Harris County

My Commission Expires June 1, 1957

July 27, 1955

Mr. Adam Klein
R. F. D.
Spring, Texas

Dear Mr. Klein:

Your Good Faith Claimant application to purchase alleged unsurveyed land in Harris County, together with filing fee in the amount of \$1.00 has been received. This application was filed of record on July 25, 1955, and assigned File No. S. F. 15781.

Under the law, 120 days are allowed for the completion of a Good Faith Claimant's application. All supporting instruments must be submitted within this period or all rights under the application will be lost.

Very truly yours,

EARL RUDDER, COMMISSIONER

By

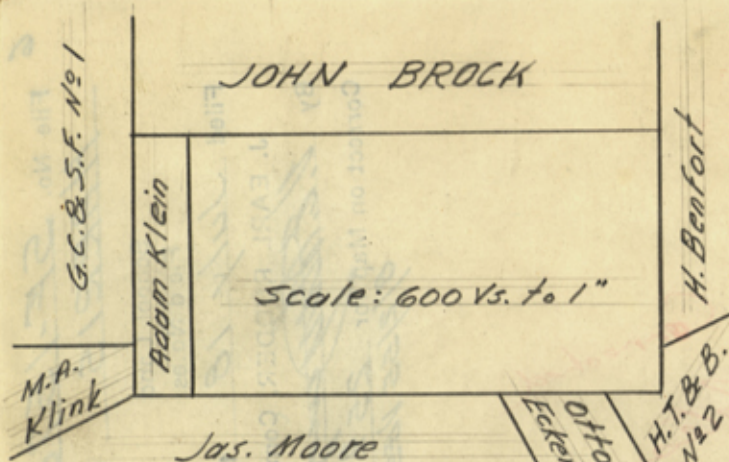
Robert J. Brooks
Attorney

RJB:pt

File: S. F. 15781

(5)

File No. S. 2 15781
Harris County
St. to Applicant
Filed July 27 19 55
J. EARL RUDDER, Com'r.
Pat Thompson
File Clerk



THE STATE OF TEXAS }
COUNTY OF Harris }

EXHIBIT A
SURVEY NO. _____

(GOOD FAITH CLAIMANT)

FIELD NOTES of a survey of 25.9
acres of land made for Adam Klein

by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 18th day of April, 1955, (application to be filed with the Commissioner of the General Land Office, Austin, Texas*) under the laws regulating the sale and lease of unsurveyed school land. Said land is situated in Harris County, about 22 miles North 26° West from Houston, the County Seat, and is described by metes and bounds as follows, to-wit:

Beginning at the Southwest corner of A. A. Klein's 52.96 acres on the North line of the James Moore Survey and 967.97 varas from its North-east corner;

THENCE with the North line of the James Moore Survey South 89° 19' 40" West 185.03 varas to a 4x4" concrete monument, the Southwest corner of this survey, the most Northern Northwest corner of the James Moore Survey and the upper Southeast corner of the Mary A. Klink Survey;

THENCE North 00° 18' 10" West with the East lines of the Mary A. Klink Survey and G.C. & S.F. R.R. Company Survey No. 1, Certificate 5197 and the long-recognized West line of the John Brock Survey; at 152.9 varas pass an iron pipe, the Northeast corner of the said Mary A. Klink Survey and the Southeast corner of the G.C. & S.F. R.R. Company Survey No. 1; at 787.0 varas enter a lake and at 821.45 varas a 3/4" galvanized iron pipe set in said lake in water about 2 1/2 ft. deep, this being the Northwesterly corner of this survey and the Southwest corner of the John Brock Survey by its patented call distance;

THENCE with the South line of the John Brock Survey so located, North 89° 19' 40" East 170.96 varas to the Northwest corner of A. A. Klein's 52.96 acres;

THENCE with A. A. Klein's West line South 01° 17' East 821.43 varas

to the place of beginning.

(over)

Variation 7° 00' East - Gurley Transit
No. 34348
Surveyed May 2nd to June 28th, 1955

A. R. Plummer
J. W. Shook
S. M. Hunter
Chain Carriers

H. C. Wellman - Party Chief

I, J. S. Boyles, Licensed State Land-County-Surveyor of Harris County, Texas, do hereby certify that the foregoing survey was made by me on the ground, according to law, on the date and with the Chain Carriers aforesaid, duly qualified, and that the limits, corners, and boundaries with the marks of the same, natural and artificial, are truly and correctly described and set forth in the foregoing plat and field notes, just as I found them on the ground.

J. S. Boyles
Licensed State Land Surveyor--
County Surveyor

Filed for record in my office, the 12 day of July, 1955, at 3:30 o'clock P M, and duly recorded the 12 day of July 1955, in Book M., Page 335 of the Field Note Records of Harris County, Texas.

R. A. Washburn
County Surveyor--County Clerk

IMPORTANT NOTICE

* (1) To be used in Lieu of "application filed with the Commissioner of the General Land Office, Austin, Texas, on the _____ day of _____, 19____" when application is to be accompanied by the field notes.

(2) The written report of the survey which is required to accompany the above field notes must show whether the above described tract of land is situated within five (5) miles (state exact distance) of a well producing oil, gas, or other minerals in paying quantities.

I, J. S. Boyles, do hereby certify that the character and reasonable market value of the land included within the limits of the within field notes are as follows:

Soil (state character) Sandy loam Timber oak Value \$ 20.00 per acre (including timber)

J. S. Boyles
Licensed State Land Surveyor--
County Surveyor

6 File No. SF-15781 County HARRIS
School Land
Field Notes
Filed July 18 1955
By J. EARL RUDDER, Com'r.
Correct on Map for 25.3 acres
8/2/55 HES

Corrected by Field Notes

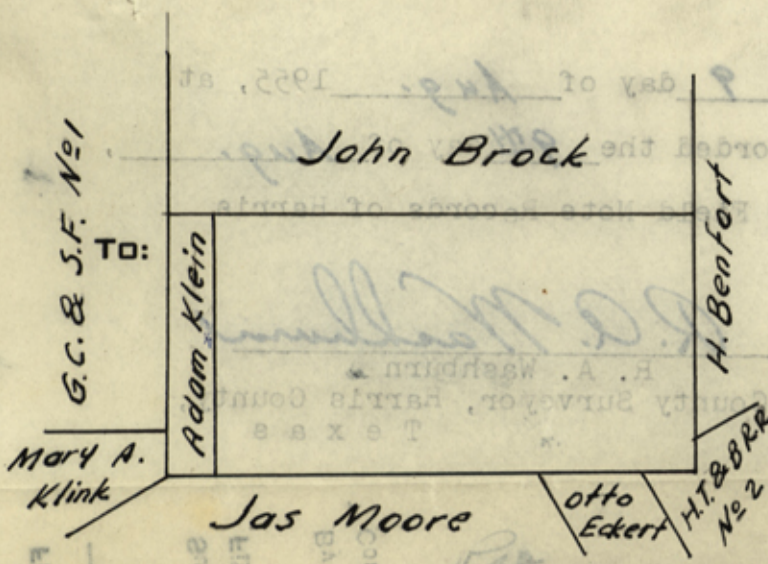
RECEIVED AS STATED

1.00
Date 7/18/55
Reg. No. 57882

GENERAL LAND OFFICE

SF-15781

FROM THE OFFICE OF J. STUART BOYLES, C. E.
PROFESSIONAL ENGINEER
LICENSED STATE LAND SURVEYOR
HOUSTON, TEXAS
August 8th, 1955



The State of Texas)
County of Harris)
(A Good Faith Claimant)

CORRECTED FIELD NOTES of a survey of 25.6 acres of land made for Adam Klein, by virtue of his application filed with the Commissioner of the General Land Office,

Austin, Texas, on the 12th day of April, 1955, (application to be filed with the Commissioner of the General Land Office, Austin, Texas) under the laws regulating the sale and lease of unsurveyed school land. Said land is situated in Harris County, about 25 miles North 26° West from Houston, the County Seat, and is described by metes and bounds as follows, to-wit:

BEGINNING at a 3/4" rod in fence at the Southwest corner of Alvin A. Klein's 53.26 acres on the North line of the James Moore Survey 972.16 varas from its Northeast corner;

THENCE with the North line of the James Moore Survey South 89° 19' 40" West 180.84 varas to a 4" x 4" concrete monument, the Southwest corner of this survey, the most Northern Northwest corner of the James Moore Survey and the upper Southeast corner of the Mary A. Klink Survey;

THENCE North 00° 18' 10" West with the East lines of the Mary A. Klink Survey and G.C. & S.F.R.R. Company Survey No. 1, Certificate 5197 and the long-recognized West line of the John Brock Survey; at 152.9 varas pass an iron pipe, the Northeast corner of the said Mary A. Klink Survey and the Southeast corner of the G.C. & S.F.R.R. Company Survey No. 1; at 787.0 varas enter a lake and at 821.45 varas a 3/4" galvanized iron pipe set in said lake in water about 2 1/2 ft. deep, this being the Northwesterly corner of this survey and the Southwest corner of the John Brock Survey by its patented call distance;

THENCE with the South line of the John Brock Survey so located North 89° 19' 40" East 170.96 varas to the Northwest corner of A. A. Klein's 53.26 acres;

THENCE with Alvin A. Klein's West line South 00° 59' 30" East 821.39 varas to the PLACE OF BEGINNING.

Variation 7° 00' East
Gurley Transit No. 34348
Surveyed May 2nd to June 28th, 1955

A. R. Plummer)
J. W. Shook) Chain Carriers
S. M. Hunter)

H. C. Wellman - Party Chief

I, J. S. Boyles, Licensed State Land Surveyor of Harris County, do hereby certify that the foregoing survey was made by me on the ground according to law, on the date and with the chain carriers aforesaid, duly qualified, and that the limits, corners and boundaries with the marks of the same, natural and artificial, are truly and correctly described and set forth in the foregoing plat and field notes, just as I found them on the ground.

RECEIVED

AUG 13 1955

GENERAL LAND OFFICE

J. S. Boyles
J. S. Boyles,
Licensed State Land Surveyor

FROM THE OFFICE OF J. STUART BOYLES, C. E.
PROFESSIONAL ENGINEER
LICENSED STATE LAND SURVEYOR
HOUSTON, TEXAS

Filed for record in my office, the 9 day of Aug. 1955, at
10:00 o'clock A M., and duly recorded the 9th day of Aug.
1955 in Book M Page 350, of the Field Note Records of Harris
County, Texas.

R. A. Washburn
R. A. Washburn
County Surveyor, Harris County,
Texas

CORRECTED FIELD NOTES OF A SURVEY
OF 25.6 ACRES OF LAND MADE FOR
ADAM KLEIN, BY VIRTUE OF HIS
APPLICATION FILED WITH THE COM-
MISSIONER OF THE GENERAL LAND OFFICE,
AUSTIN, TEXAS, (APPLICATION TO BE FILED
THE DAY OF APRIL, 1955), THE SALE AND LEASE OF UNRESERVED SCHOOL
LAND IN HARRIS COUNTY, ABOUT 25 MILES NORTH 26°
AND AS DESCRIBED BY METES AND
BOUNDS AT THE SOUTHWEST CORNER OF ALVIN
MOORE SURVEY
THE NORTH LINE OF THE JAMES MOORE SURVEY
VARIES TO A 4" X 4" CONCRETE MONUMENT, THE SOUTH-
WEST CORNER OF THE JAMES MOORE SURVEY SOUTH 89°
AND THE UPPER SOUTHEAST CORNER OF THE MARY A.
KLEIN SURVEY.

THENCE NORTH 00° 18' 10" WEST WITH THE EAST LINE OF THE MARY A.
KLEIN SURVEY AND G.O.S. & S.F.R. COMPANY SURVEY NO. 1, DISTRICT
2197 AND THE LONG-RECOGNIZED WEST LINE OF THE JOHN BROCK SURVEY; AT
152.9 VARS PASS AN IRON PIPE, THE NORTHEAST CORNER OF THE SAID
MARY A. KLEIN SURVEY AND THE SOUTHEAST CORNER OF THE G.O.S. & S.F.R. R.
COMPANY SURVEY NO. 1; AT 787.0 VARS ENTER A LAKE AND AT 821.45 VARS
A 3/4" GALVANIZED IRON PIPE SET IN SAID LAKE IN WATER ABOUT 2 1/2 FT.
DEEP, THIS BEING THE NORTHWESTERLY CORNER OF THIS SURVEY AND THE SOUTH-
WEST CORNER OF THE JOHN BROCK SURVEY BY ITS PATENTED CALL DISTANCE;
THENCE WITH THE SOUTH LINE OF THE JOHN BROCK SURVEY SO LOCATED
NORTH 89° 19' 40" EAST 170.96 VARS TO THE NORTHWEST CORNER OF A. A.
KLEIN'S 23.26 ACRES;

THENCE WITH ALVIN A. KLEIN'S WEST LINE SOUTH 00° 59' 30" EAST
821.39 VARS TO THE PLACE OF BEGINNING.

Variation 7° 00' East
Surveyed May 2nd to June 28th, 1955
Gorley Transit No. 34348
A. R. Plummer)
L. W. Shook) Chain Carriers
S. M. Hunter)

H. C. Wellman - Party Chief

I, J. S. Boyles, Licensed State Land Surveyor of Harris County, do
hereby certify that the foregoing survey was made by me on the ground
according to law, on the date and with the chain carriers aforesaid,
and that the limits, corners and boundaries with the
marks of the same, natural and artificial, are truly and correctly
described and set forth in the foregoing plat and field notes, just
as I found them on the ground.

J. S. Boyles
Licensed State Land Surveyor

RECEIVED

AUG 13 1955
GENERAL LAND OFFICE



File No. 55-15281
HARRIS County
Corrected Field Notes

Survey No. 8-13
Filed 19-55
By J. EARL RUDDER, G.S.
Corrected Map for 95.6 acres
9-17-55
Int'd 28-55
Calculated

7

August 18, 1955

Mr. Adam Klein
R. F. D.
Spring, Texas

Dear Mr. Klein:

On April 12, 1955, the Good Faith Claimant application to purchase alleged unsurveyed land in Harris County, numbered S. F. 15765, was filed in the General Land Office. Under the law, 120 days are allowed for the completion of a Good Faith Claimant's application.

Please be advised that this application has become void for failure to complete within the 120-day period and the file wrapper containing the papers relative thereto has been endorsed as follows:

"Cancelled for failure to complete
within the time allowed by law.
8-18-1955

J. Earl Rudder, Commissioner"

The application No. S. F. 15765 to which this letter makes reference has been superseded by your later application S. F. 15781 which was filed on July 18, 1955 and is still in force.

Very truly yours,

EARL RUDDER, COMMISSIONER

By

Robert J. Brooks
Attorney

RJB:pt
Files: S. F. 15765
S. F. 15781

File No. S.F. 15781

Harris County

Att. of Cancellation to Applicant

Filed August 18 1955

J. EARL RUDDER, Com'r.

Pat Thompson

File Clerk

ACCEPTANCE OF TERMS OF SALE
OF UNSURVEYED SCHOOL LAND

(Applicant or Good Faith Claimant)

TOMBALL, Texas, SEPTEMBER 19 1955

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated in your letter dated September 15, 1955 and apply to complete my application to purchase under the terms of House Bill No. 9, passed at the Regular Session of the Forty-sixth Legislature and approved June 19, 1939, and other laws relating to the sale of unsurveyed school land without settlement.

The land is situated in Harris County, Texas, about 25 miles (give course) N, 26 W from the county seat, and is briefly described as follows:

Survey No.	S. F. No.	Acres	Classification
	<u>15781</u>	<u>25.6</u>	

I agree to pay for said land the price of \$33.33 Dollars per acre, and I hereby enclose the sum of \$853.25 Dollars as the full cash payment therefor.
(Insert whether "full" or "one-fortieth")

I further agree that the sale to me is made upon the express conditions, to-wit:

The reservation of minerals will be 1/8th of all oil, gas, sulphur and other minerals as a free royalty to the State.

I do solemnly swear (affirm) that I am over twenty-one (21) years of age.

Adam Klein
Applicant or Good Faith Claimant
Post Office SPRING, TEXAS

Sworn to and subscribed before me, this the 19th day of September, 1955.

HOWARD H. KLEIN
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957

Harris County, Texas

OBLIGATION

SEP 21 1955

\$ _____ School Lands.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of

_____ Dollars, with interest thereon as hereinafter specified, the same being for the remainder of purchase money for the following described tract of land purchased by me, of the State of Texas, in accordance with the provisions of laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No. _____,

S. F. No. _____, Grantee _____, situated in _____ County, Texas.

The annual interest of five per cent, upon all unpaid principal, together with one-fortieth of the original principal, I am to pay or cause to be paid to the General Land Office, at Austin, Travis County, Texas, on or before the first day of each November thereafter until the whole purchase money is paid. And it is expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and am subject to and accept all the benefits and penalties contained and prescribed in the laws above referred to.

Witness my hand this _____ day of _____, 19 _____.

Applicant or Good Faith Claimant

Post Office _____

Post Office

(Applicant or Good Faith Claimant)

Witness my hand this

day of

19

am subject to and accept all the benefits and penalties contained and prescribed in the laws above referred to, expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and or before the first day of each November thereafter until the whole purchase money is paid. And it is principal, I am to pay or cause to be paid to the General Land Office at Austin, Texas County, Texas on The annual interest of five per cent. upon all unpaid principal together with one-fourth of the original

County, Texas.

Grantor

situated in

laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No.

following described tract of land purchased by me, of the State of Texas, in accordance with the provisions of with interest thereon as hereinafter specified, the same being for the remainder of purchase money for the Dollars.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of

School Lands.

OBLIGATION

County, Texas

known to and subscribed before me, this the

Post Office

(Applicant or Good Faith Claimant)

I do solemnly swear (affirm) that I am over twenty-one (21) years of age.

(9)

GENERAL LAND OFFICE Austin, Texas

S. F. No. 15781

ACCEPTANCE OF TERMS OF SALE OF UNSURVEYED SCHOOL LAND (Applicant or Good Faith Claimant)

of

Adam Klein
Post Office Spring, Texas

WITHOUT SETTLEMENT

25.6 acres in

Harris County, Texas.

Filed Sept 21, 1955

J. Earl Rudder, Jr.
Commissioner

Awarded Sept 21, 1955

~~Rejected~~ _____, 19____

J. Earl Rudder, Jr.
Commissioner

Class _____

Appr'm't _____

Obligation _____

On Market _____

Survey No.

S. F. No.

(Give course) N. 50 W.

from the county seat and is briefly described as follows:

The land is situated in

Harris

County, Texas, about

52

miles

approved June 13, 1939, and other laws relating to the sale of unsurveyed school land without settlement. under the terms of House Bill No. 9, passed at the Regular Session of the Forty-sixth Legislature and in your letter dated September 13, 1955 and apply to complete my application to purchase

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

Texas,

SEPTEMBER 18

19

52

(Applicant or Good Faith Claimant)

OF UNSURVEYED SCHOOL LAND
ACCEPTANCE OF TERMS OF SALE

EXHIBIT B
July 6th, 1955

Commissioner of the
General Land Office,
Austin, Texas

Dear Sir:

This is the surveyor's statement in connection with the surveys for Theodore Benfer, F. H. Benfer, Alvin A. Klein, Adam Klein, Hugh Ehmann and A. H. Roth, under their joint Good Faith Application on seven tracts aggregating 239.39 acres which, for many years, have been considered a part of the John Brock Survey.

For many years, back as far as possibly 1911 or 1912 I have known the property surveyed as being a part of the John Brock Survey and to my certain knowledge the claimants hereunder are descendants of the people who bought and owned this land as a part of the John Brock and I have, as County Surveyor of Harris County, made junior surveys in, on and around the Brock and this particular area embraced within the application.

In making the survey of these tracts I began at the Southeast corner of the Andrew Lawson Survey, which corner and the South line of which, was fixed in a court decree years ago, in which the Rice Institute was a party to the suit. The Isaac Bunker Survey and all of its lines have been fixed by court decree.

I ran out the entire Brock Survey as it has long been claimed and recognized on the ground. The Northeast corner of the Brock is well-fixed and established and is located within a vara or two on the ground from the decreed Southeast corner of the Andrew Lawson, and in accordance with its patented field note call. In running out the Brock I found that there was an excess of 821.45 varas in the recognized and occupied position of the Brock South line over the patented call distance. However, this recognized and occupied position was recognized by Will Powers in 1862; by Bower in 1889; by Gillespie in 1876 and 1878; by Bower in his location of the Beniguez Survey and by Stimson in 1894. This will show that the General Land Office has recognized the excess distance North and South by issuing patents to the H. Benfort, F. Strocheker, Otto Eckert, James Moore and Mary A. Klink. In view of this long and continued recognition by the General Land Office you can readily see why the deeds into the applicants herein and to their predecessors in title call for the Brock Survey. In addition, their properties have been assessed and taxes collected in Harris County over this 239.39 acres for many, many years as being a part of the John Brock Survey.

While it is true that some of the present good faith claimants have acquired the property by inheritance, others have acquired it by purchase, and now having to quiet their title through the State will only mean they have to pay for the land a second and/or third time. In view of this situation I would most sincerely recommend that these persons be given the land at the absolute minimum price that the Board can place thereon.

This land is approximately four and one-half miles South of the nearest producing oil well. It has been lived on and is lived on; has been cultivated and used for fifty years to my certain knowledge.

Respectfully submitted,

Detailed Map No. 5194
accompanying this report.

J. S. Boyles
J. S. Boyles,
Licensed State Land Surveyor

EXHIBIT "C"

ADAM KLEIN 25.9 ACRE TRACT

PLAT OF SURVEY COVERING SUBJECT TRACT
AND TRACTS OF OTHER GOOD FAITH CLAIMANTS.

Said Plat is not attached hereto, but is separately this day
filed with the Commissioner of the General Land Office, said Plat
being a map of such size that same cannot be attached hereto.

25-12781

NOTION COMPANY
EZEKIEL
MILLERS FALLS

EXHIBIT "C"

ADAM KLEIN 25.9 ACRES TRACT

PLAT OF SURVEY COVERING SUBJECT TRACT
AND TRACTS ON OTHER GOOD FAITH CLAIMANTS.

Said plat is not attached hereto, but is separately this day
filed with the Commissioner of the General Land Office, said plat
being a map of such size that same cannot be attached hereto.

(12) SF-15781

SF-15781

J. S. BOYLES & ASSOCIATES

PROFESSIONAL
ENGINEERS

601 Stewart Building

Houston 2, Texas
Preston 1861

LICENSED STATE
LAND SURVEYORS

July 28th, 1955

Commissioner of the
General Land Office
Austin, Texas

Dear Sir:

(15) SF-15781

Apparently, in writing the Adam Klein and A. A. Klein Good Faith Field Notes, I did not have the correct common Southeast-Southwest corner between the two ownerships and at the request of the gentlemen mentioned, corrected field notes have been prepared on these two tracts and are handed you herewith.

Very truly yours,

Signed: J. S. Boyles

JSB:mc

C O P Y

RECEIVED

AUG 13 1955

GENERAL LAND OFFICE

27-12781

J. S. BOYLES & ASSOCIATES

601 Stewart Building

Houston 2, Texas
Preston 1861

LICENSED STATE
LAND SURVEYORS

PROFESSIONAL
ENGINEERS

July 28th, 1952

Commissioner of the
General Land Office
Austin, Texas

Dear Sir:

Apparently, in writing the Adam Klein and A. A. Klein Good Faith
Field Notes, I did not have the correct common Southeast-Southwest
corner between the two ownerships and at the request of the gentlemen
mentioned, corrected field notes have been prepared on these two tracts
and are handed you herewith.

Very truly yours,

Signed: J. S. Boyles

JSB:mc

C O P Y

RECEIVED

AUG 13 1952

GENERAL LAND OFFICE

(13) SF-15781

September 15, 1955

Mr. Adam Klein
RFD
Spring, Texas

Dear Mr. Klein:

The School Land Board of the State of Texas at a meeting held in my office September 7, 1955, fixed a price at which you may pay for the unsurveyed school land in S. F. 15781, 25.6 acres, Harris County, which you applied for, at \$33.33 per acre. This price is based on the information submitted in your questionnaire.

This tract of land is within five miles of an oil well producing in commercial quantities, and the reservation of minerals will be 1/8th of all oil, gas, sulphur and other minerals as a free royalty to the State.

Since this area contains less than 80 acres, it will have to be paid for in cash. You should, therefore, forward a check in the amount of \$853.25, which, according to my calculation, is the amount necessary to pay for such unsurveyed school land. In addition to the above, the patent fee on this tract will amount to \$5.00. You may include these two sums in one check which should be made payable to the State Treasurer. It will also be necessary for you to forward to this office a separate check in the sum of \$1.04 to defray the expense of recording the patent in Harris County. This latter check must be made payable to the Commissioner of the General Land Office.

I am enclosing a form of acceptance, which I request that you fill out and return to this office with the remittances.

Sincerely yours,

EARL RUDDER, COMMISSIONER

By

Chas. R. Leggott
School Land Division

CRL:ej
enc.
SF 15781

(14)

1875145

Letter
to
the
Editor

9-15-55
SS



J. EARL RUDDER, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

DUPLICATE RECEIPT

(To be Kept by Land Office)

LEDGER

PAGE

FILE NO.

Post Office

To THE COMMISSIONER General Land Office, Austin, Texas.

I enclose

(Say whether Money Order or Draft on a Bank in Austin, or Cash.)

for \$

of which

\$ 853.75 are for principal
\$ are for interest
\$ 1000 are for fees

payment on the following land purchased from the State,
to-wit:

Section	Block	Township	Certificate	SURVEY	Acres	County
				East 1/4 Sec 15 to Harris		

(Name of Sender.)

(Address)

Received remittance as stated above.

Commissioner General Land Office.

10

ST-15781



J. EARL RUDOLPH, Commissioner
DENNIS WALLACE, Chief Clerk

DUPLICATE RECEIPT

(To be Kept by Land Office)

London

Page

Post Office

TO THE COMMISSIONER General Land Office, Austin, Texas.

I enclose

(Pay whether Money Order or Draft on a Bank in Austin, or Cash.)

\$ 1000 are for fees
\$ 2 are for interest
\$ 23.75 are for principal

payment on the following land purchased from the State, to-wit:

Section	Block	Township	County	Acres	Survey

Received remittance as stated above.

(Name of Receiver)

(Address)

Commissioner General Land Office.

10

Ledger 143

LAND AWARDS AND RECEIPT

File No. S.F. 15781Page 395Date of Award Sept. 21, 1955 1954GENERAL LAND OFFICE,
AUSTIN, TEXASWHEREAS, Adam Klein

of Spring, Texas, has, in the manner and form prescribed by
law, filed in this office an application and obligation to purchase the following land, to-wit:

SECTION	BLOCK	TOWNSHIP	CERTIFICATE	GRANTEE	ACRES	PRICE	COUNTY
			<u>S. F. 15781</u>	<u>Adam Klein</u>	<u>25.6</u>	<u>\$ 33.33</u>	<u>Harris</u>

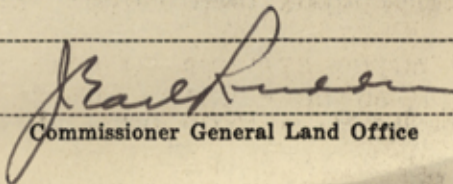
Date of Sale _____

Amount of Note \$ _____

Rate of Interest _____ Per Cent

Due November 1st Annually
SCHOOL LAND

The School land Board having fixed the price, and the State
having received \$ 853.25 as the full payment
thereon, I do hereby award to said applicant the survey of
land described above with a reservation of a free royalty
of one-eighth on oil, gas, sulphur and all
other minerals to the State.



Commissioner General Land OfficeOK
SW

(b)

Receipt 9-21-55

9